



COURT NEWS

Courthouses Should Go to State, Says Task Force

BLAINE CORREN

A recent report from the Task Force on Court Facilities recommends that the state assume full responsibility for trial court facilities. The task force's *Second Interim Report*, released for public comment on April 9, further suggests that the complete transfer of responsibility for court facilities from the county to the state be carried out over a three-year period.

The report recognizes that the courthouse is a "key component in the administration of justice"

and that it must be accessible, efficient, convenient, and safe. But it also notes that courts "face an uncertain future while responsibility for trial court facilities is unresolved" and that, as a result, many projects and needed upgrades to court buildings have been stalled.

"With the issue of who will assume primary responsibility for trial court buildings left in question, it is predictable and understandable that some counties are wary of committing to the construction and renovation of court structures," says Daniel J. Kremer, Presiding Justice of the Court of Appeal, Fourth Appellate District, Division One, and chair of the Task Force on Court Facilities. "To encourage new construction, the report recommends adoption of a procedure through which the state could

compensate counties that begin work on preapproved court facilities which may ultimately become property of the state."

Over the past decade, several historic court reforms have transferred responsibility for California's trial courts from the counties to the state. Most notably, the Lockyer-Isenberg Trial Court Funding Act of 1997 (Assem. Bill 233) ended a system of dual county and state funding in an effort to provide a more stable and consistent funding source for trial court operations. The Legislature created the Task Force on Court Facilities to study a major issue left unresolved by the act—who would bear primary responsibility for trial court buildings.

The report estimates that the annual cost for operations, *Continued on page 6*



According to the Task Force on Court Facilities' *Second Interim Report*, many of the state's courts are in need of repair, renovation, or attention to a backlog of maintenance tasks. *Photo: Jason Doiy*

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Courts Coping With Energy Shortages

BLAINE CORREN

Picture court clerks reading case files by the light of battery-powered lanterns. Now suppose the court's self-help center was forced to assist unrepresented litigants by flashlight. Unfortunately, court workers in Ventura County do not need to imagine these possibilities as California's power crisis has made them a recurring reality.

The impact that California's power shortage will have on residents, businesses, and the state's economy is open to much speculation. And in March, Chief Justice Ronald M. George, in his "State of the Judiciary" address, acknowledged that the power-induced damage to the state's economic fortunes will likely have an effect on the amount of state funding available for judicial programs and initiatives.

In addition to the impact on state government and the judicial branch as a whole, the power shortage is sure to have an effect on local courts. While surging utility bills remain the responsibility of the counties, courts in some parts of the state are already coping with power cutbacks and outages. *Court News* contacted several courts affected by the en-

ergy crises to learn how they are dealing with the situation.

Flashlights in Ventura

Since the power shortages began, brownouts have become almost a daily occurrence in the Superior Court of Ventura County. During these brownouts, lighting in the main courthouse, including courtrooms, is dimmed, making it necessary for some court employees to use alternative illumination such as lanterns and flashlights. In addition to the brownouts, the court has also experienced at least five blackouts so far that have lasted from one to two hours each.

"The county is participating in an energy reduction program to receive lower rates," explains Florence Prushan, Assistant Executive Officer for the Superior Court of Ventura County. "It has never been an issue until now." The county has assured the court that it is working on being able to provide court buildings with more power by this summer.

According to Ms. Prushan, productivity has started to suffer. During power shortages the court continues to operate, but must do so in very dim lighting. The court has been exploring alternative work patterns to stay

caught up with its workload by having staff work overtime and during lunch breaks.

"The doors have been kept open," adds Ms. Prushan. "Case processing has been a struggle, but the calendars are still on schedule. We'll be all right as long as it doesn't get any worse."

Santa Clara at Risk

In the Superior Court of Santa Clara County, the power shortage has been more of a nuisance than a crisis.

By April, the court's main administrative building had already been hit by rolling power outages three times. During these power failures, court staff had to deal with limited lighting and inoperative computers. *Em-*

Continued on page 7

Mental Health Courts

According to the Mental Health Association of California, an estimated 30,000 to 50,000 mentally ill Californians are homeless. A result of a shortage of mental hospitals, the failure of social safety nets, and changes in the law that put many of the mentally ill into the community with little or no treatment or support, all too many of this population cycle in and out of the criminal justice system.

Court News reports how three California counties are addressing this challenge with mental health treatment courts. These specialty courts are court-community collaborations that stress close judicial supervision and allow for a wide range of sentencing and rehabilitation options.

The story begins on page 8.



Chief Justice
Ronald M.
George

MESSAGE FROM THE CHIEF JUSTICE

State of the Judiciary

Chief Justice Ronald M. George delivered the "State of the Judiciary" address to a joint session of the state Legislature on March 20 in Sacramento. He reflected on the courts' accomplishments since he became Chief Justice five years ago, including advancements in the areas of court funding, efficiency, access, facilities, security, interpreters, and technology. The following excerpts from his address detail the benefits of one of the California judiciary's major accomplishments that was recently completed—unification of all of the state's trial courts into 58 countywide court systems.

While the primary goals of the judicial branch—fairness and access to justice for all—have remained constant, recent transformations in the fundamental structure of the judicial system, accomplished only with your help and guidance, have resulted in innovations focused on improving service to the public at a rate unsurpassed at any time in our state's history.

TRIAL COURT UNIFICATION

[A] fundamental structural change for the judicial branch is the unification of the superior and municipal courts into a single level of trial court. This has had profound effects on the service we provide to the public.

Starting in the early '90s, at the urging of the Legislature, courts were encouraged, on a county-by-county basis, to reorganize in order to avoid duplication and to make better use of available resources. From coordination to consolidation, this trend culminated in the 1998 enactment of Proposition 220, the constitutional amendment that you placed on the ballot permitting trial courts on a county-by-county basis—upon a majority vote of the judges of each level of trial court, municipal and superior—to unify.

Proposition 220 passed overwhelmingly in June 1998. The courts began literally the next day to vote to unify. And on February 8 of this year, I administered the oath of office for Judge of the Superior Court to the last four municipal court judges in California as Kings County became the final county to unify. When we began the process, we had some 220 separate trial courts. We now have 58—one in each county. In short, California's former hodgepodge of trial courts has been transformed into a single, unified system.

INCREASED FLEXIBILITY

What often has been striking has been not only that the apprehension in some quarters that countywide unification would lead to less responsiveness to local concerns has proved unfounded, but the opposite has occurred. In Riverside County, for example, residents can now, at any court facility countywide, file documents, pay fines and fees, request continuances and extensions, enroll in traffic school, and select their court date. Family law and probate court services have been expanded to additional court locations. Office hours have been extended countywide, and an individual in any courthouse can gain computer access to any case pending in the county.

Cross-training of staff and realigned assignments for judges in counties from Yolo to Los Angeles has facilitated case processing. The depth of judicial and staff knowledge has increased, permitting quick backup when needed and faster turnaround for orders and hearings.

The Yolo County court, for example, now has a same-day turnaround on domestic violence and restraining orders as well as expedited guardianship proceedings. Merced County reports that, because of the larger pool of judges it can draw upon, the need to request assistance through the assignment of retired or out-of-county judges, when there are disqualifications or other scheduling problems, has been greatly reduced.

IMPROVED ACCESS

In Lassen County, fiscal limitations had restricted courts to 7 hours of public access daily. The integration of municipal and superior court staff has permitted hours to be expanded to a 10-hour day running from 7:30 a.m. to 5:30 p.m., enhancing access for all citizens of the county, some of whom must travel 75 miles to Lassen's sole court location.

In Placer County, the court facility in Tahoe City now houses a court of general jurisdiction, reducing the need

for litigants, counsel, witnesses, the sheriff's office, and others to make the 170-mile round trip—often arduous in winter—across the Sierra to Auburn. Mono County also reports that using a former municipal court facility in the southern portion of the county as a new superior court location with general jurisdiction has saved local residents and lawyers a 50-mile-or-more trip, and is proving so popular that a second courtroom is being furnished in that location to meet demand.

FACILITATING INNOVATION

One theme repeated again and again by the trial courts is that unification has permitted them to create drug courts, domestic violence courts, and improved juvenile court services that previously could not be staffed. These specialized courts now function and have been expanded in counties across the state, including Alameda, Fresno, Humboldt, Orange, Riverside, Sacramento, and San Bernardino. In the San Diego court alone, five judges have been redeployed to family and juvenile court, and drug court operations have been increased. New developments continue: Santa Clara's court conducted the first juvenile court mental health calendar in the nation on February 14 of this year, and a community court there will follow at the end of September.

EXPANDING SERVICES

In Los Angeles County, 25 separate court systems merged into one. The court there reported more than \$1.2 million in savings during the first six months of unification, primarily from attrition in positions no longer needed after unification. That funding has been redirected to increase the number of sites in Los Angeles at which the public can obtain domestic violence temporary restraining orders, to open family information centers to provide help to unrepresented litigants, and to hold a special court to assist homeless litigants in clearing court cases and facilitate their ability to rejoin productive society.

In Solano County, a relatively small jurisdiction, eliminating management duplication and improving efficiency resulted in \$650,000 in savings that were used to establish drug courts, improve case handling, and place the court in a position in which it could negotiate with the county a \$5 million construction project, including three new courtrooms, and an expanded jury assembly room. . . .

GREATER EFFICIENCY

In addition to creating dedicated courts for specific classes of cases, many courts have been able to improve how they process caseload generally. In Orange County, myriad local rules have been replaced with a unified set of rules establishing the same practices for all court facilities.

In Santa Cruz, the court created a modified direct/master calendar system, assigning every case directly to a team of judges who handle the case from filing to disposition. That court's executive officer proudly states, "Our court went from a four-year wait for trial in civil cases to no wait."

In Santa Clara, the court has virtually eliminated delay in both civil and criminal cases and, among other accomplishments, reduced its felony trial inventory from almost 1,000 cases to 358. This was accomplished by reorganizing the assignment of judges in order to increase the early resolution of cases and by expanding drug treatment courts to both felonies and misdemeanors and to cases at all court locations. Kern County has focused on early dispositions, too, reducing felony trials by 20 percent in one year.

Imperial County's court now can send cases to trial with unprecedented speed—in contrast to the past when most civil cases were pressing against the deadline of the five-year statute. Imperial now has what it describes as a "new trial-ready court culture" that has resulted in an increased settlement rate. . . .

I am pleased to report that with the tools that the legislative and executive branches and the people of California have provided us, the courts have vastly transformed the delivery of services to the public. Our job is not done; indeed, it will never be complete. Our constantly changing society will always find new challenges to lay at the courthouse door.

TAKE NOTE

For the full text of the Chief Justice's "State of the Judiciary" address, visit the California Courts Web site at www.courtinfo.ca.gov/reference/soj0301.htm.

